

1909-027 Chancery Causes: D. O. Carroll vs. Lucretia Carroll  
Lee Co.

Rose, Green, Stapleton, Napier

CA-Divorce  
T-Vices



To the Honorable H. A. W. Skeen, Judge of the Circuit Court  
of Lee County Virginia:

Humbly complaining, your complainant D. O. Carroll,  
would respectfully represent and show unto your honor that he on the  
<sup>18<sup>th</sup> day of Dec</sup> 1895, was married to one Lucretia Carroll - that  
they lived together as husband and wife until about one year ago when  
your complainants said wife became enamored with a man who was  
boarding at their <sup>by name of Nick Green</sup> home, and ran away with him and left the state of  
Virginia.

Your complainant alleges that his said wife has  
been guilty of acts of adultery with with said man; that said acts  
were committed within five years before the institution of this suit;  
<sup>and at Occochee Va</sup> that your complainant has not lived nor co-habited with that defend-  
ant, Leucetia Carroll since knowledge of her acts of adultery, that  
said acts were without his procurement or connivance, that your  
complainant is a resident and citizen of Lee County and has been  
for more than a year before the institution of this suit; that they  
last lived and co-habited together in Lee County Virginia.

The prayer of your complainant is that the said Lucretia  
Carroll be made a party defendant to this <sup>bill</sup> and answer the same but  
not upon oath, that being waived, that your complainant be granted  
a divorce a vinculo matrimonii, that order of publication be posted  
and be published against the defendant who is a non resident, that  
your honor grant all other relief generally that the nature of his  
case may require or to equity seem meet and he will ever pray &c.

Ealy Ed Woodward p. q.



D. O. Carroll Plff.  
vs Bill in Chancery  
Lucetta Canoll. Deft  
1909 1st Nov. Rules  
Bill filed &  
contd. for A.P.  
" 2nd Nov. Rules.  
C.C. completed  
& cause set for  
hearing.

Costs:  
Clk \$4.55  
Pay 1.50  
atty 15.00  
Printer 5.40  
Comr. .75  
\$27.20



D. O. Carroll, Plaintiff,  
against E. In Chancery  
Lucretia Carroll, Defendant,

This cause came on this day to  
be heard upon the bill of Plaintiff  
depositions filed therewith, order of  
publication, duly posted and  
published against the non-resident  
defendant, and was argued by  
counsel for Plaintiff;

On consideration of which, it is  
adjudged, ordered and decreed that the  
bonds of matrimony heretofore contracted  
and now existing between plaintiff  
and defendant be dissolved, and that  
the plaintiff, D. O. Carroll, be forever divorced  
from his said wife Lucretia Carroll  
a vinculo Matrimonii, and the plaintiff  
will pay the costs of this suit and the  
same is stricken from the docket.



D.O. Canoll, Ref  
no { { seen  
Lucretia Canoll, Ref.

Entered in Coll  
No 8; page 554

Enter this

H. C. W. 3100

Dec 7-1909-



The Depositions of V.D.Rose and others taken before me, Geo.P. Cridlin, Commissioner in Chancery for the Circuit Court of Lee County, Virginia, on the 29th day of November, 1909, at the office of M.G.Ely, ~~122~~ in the town of Jonesville, Virginia, which depositions are intended to be read as evidence in behalf of the plaintiff in a certain suit in Chancery now depending in the Circuit Court of Lee County, in which D.O.Carroll is plaintiff and and Lucretia Carroll is defendant.

N.D.Rose, a witness of lawful age being first duly sworn deposes as follows:

Q.1.-- State your age, residence and occupation and whether or not you are acquainted with the parties to this suit.

A.-- I am 46 years old, reside at Ocoonita, Va., am a farmer. I am acquainted with the parties to this suit.

Q.2.-- Please state how long you have known the plaintiff and how long as he resided in Lee County?

A.-- I have known him for some 30 years. He has been living in the Crab Orchard in this County ever since he has been married, which is ten or fifteen years. He moved on my place in Jan.1908, and lived there seven or eight months.

Q.3.-- Please state all you may know about the defendant Lucretia Carroll, leaving the plaintiff, going off with another man, and leaving the state.

A.-- I know while they lived on my place that a man boarded with them by the name of Nick Green, and that D.O.Carroll ordered him to leave, and run him off. After he left I saw Green and Mrs. Carroll meet up on the Railroad and they were together an hour or two. After Green was run off Mrs. Carroll said that she was not going to live with her husband any more, and she got me to haul her goods to the depot and had them shipped to Keokee, but I don't know where she is now. Nick Green was at my house a short time ago and he said that the last he saw of her she was on her way to Tennessee. They lived about 200 yards from my house, and D.O.Carroll was very often away from home at night, and I have seen this man Green there very early in the morning. I tried to see as little as possible, because it was the general reputation in the community that there was something wrong with these people, that Green and Mrs. Carroll were too familiar with each other.



And further this deponent saith not.

N. B. Rose

Henderson Stapleton, another witness of lawful age being duly sworn deposes as follows:

Q.1.-- State your age, residence and occupation.

A.-- I am 15 years old, live in Crab Orchard, and work on the farm.

Q.2.-- Do you know D.O. Carroll's wife, and if so when and where did you last see her?

A.-- I do know her. I saw her last at the Pocket Depot, on the last day of last July. That was the last time I have seen her. The Pocket depot is in this County. There was a man with her that I did not know, but I was informed that it was Nick Green. They were going on down the railroad towards St. Charles, the last I saw of them. They were walking along hold each others hands. They got off of the Pocket train at the Pocket depot

And further this deponent saith not.

*his*  
Henderson Stapleton  
*Adjourned to Nov. 30, at the same <sup>work</sup> place*  
*next pursuant to adjournment. Nov. 30, 1909*

John M. Napier, another witness of lawful age being duly sworn, deposes as follows,

Q.1.-- State your age, residence and occupation, and whether of not you are acquainted with the parties to this suit.

A.-- I am 53 years old, live in Harlan County, Ky., am a farmer. I am acquainted with the parties to this suit.

Q.2.-- Did you or not live near them when they resided at Ocoonita Virginia?

A.-- I did.

Q.3.-- Were you acquainted with Nick Green?

A.-- Yes sir.

Q.4.-- Please state whether or not you ever saw any undue intimacy between Nick Green and Lucretia Carroll the defendant in this case?

A.-- I did. The first thing I saw that I thought was wrong between them, she was tying a neck tie on his neck and he had his hand on her shoulder. After that I passed the house one day and saw them lying on the bed hugged up together. At another time I passed the



house and Mr. Carroll's two children were working at the door trying to get in as it appeared to me. I asked the least boy who was in there, and he said Nick Green and his ma.

Q.5.-- State if you know where Mr. Carroll was at the time you saw these things?

A.-- He was gone away from home at the time, I reckon he was at Keokee, I understood that he had gone there to get a job.

Q.6.-- State whether or not Nick Green ever told you anything about what he had had to do with this woman?

A.-- He did. He told me that he had slept with her. He said she put on fine starched under clothes to sleep with him.

Q.7.-- Do you know where the defendant or Nick Green are now.

A.-- I do not know where they are.

Q.8.-- Did you ever hear the defendant say anything about not living with her husband, if so state what it was?

A.-- I did hear her say that she did not intend to live with her husband any more, and said she was going to leave.

Nick Green tried to hire me to haul her plunder to the depot, but I told him that I would not have anything to do with it.

And further this deponent saith not.

*his*  
*John M. X Hapner*  
*mark*

Virginia, Lee County, to-wit:

I, Geo.P.Cridlin, a Commissioner in Chancery do certify that the foregoing depositions were duly taken before me at the time, place and for the purpose in the caption mentioned.

Given under my hand this the 30th day of November, 1909.

*Geo. P. Cridlin*, Commissioner in Chancery.



D. O. Carroll

or { In Chy.

Lucretia Carroll

Filed Nov. 30, 1909

H. C. J. Ewing, Clerk

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Comm. fee 75 Cts. Pd.

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**The Commonwealth of Virginia,**

**To the Sheriff of the County of Lee, Greeting:**

WE COMMAND YOU, That you summon

*Lucretia Carroll*

to appear at the Clerk's office of the Circuit Court of the County of Lee, at rules to be held for the said court, on  
the *1st* Monday in *Nov.* 190*9*, to answer a bill in chancery exhibited against *her*

*in our said Court by D. O. Carroll*

And have then there this writ. Witness, H. C. T. EWING, Clerk of our said Court, at the court-house, the *4<sup>th</sup>*  
day of *Oct.*, 190*9*, and 1*34<sup>th</sup>* year of the Commonwealth.

A Copy, Teste:

*H. C. T. Ewing*, Clerk

\_\_\_\_\_, Clerk



D. O. Carroll

VS

}  
SUBPOENA  
IN  
CHANCERY

Lucretia Carroll

Ely & Woodward p. q.

To

1st Nov'r.

Rules

See Circuit

Court

1909



In the Clerk's Office of the Circuit Court of the County  
of Lee.

D. O. Carroll,

Plaintiff

against

Lucretia Carroll

Defendant

This day 14th Oct personally appeared  
before me H. C. Ewing, Clerk of the said Court,  
and being duly sworn, made oath that Lucretia Carroll

defendant in the said suit <sup>is</sup> not resident of the State of Virginia,

Given under my hand as Clerk of the said Court, this 14th day of Oct, 1909.  
H. C. Ewing clerk



D. O. Carroll

VS

{ AFFIDAVIT FOR ORDER  
OF  
PUBLICATION

Lucretia Carroll

Ely & Woodward p. q.

Filed Oct. 4, 1909.  
H. C. Ewing,  
Clerk.



In the Clerk's Office of the Circuit Court of the county of Lee, on the 4<sup>th</sup>  
day of October, 1909.

D. O. Carroll,

against

Plaintiff

In Chancery

Lucretia Carroll,

Defendant

The object of this suit is to obtain a divorce a vinculo  
matrimonii.

And an affidavit having been made and filed that the defendant, Lucretia Carroll, is  
<sup>a</sup> not resident of the State of Virginia, it is ordered that she do appear here within fifteen days  
after due publication hereof, and do what may be necessary to protect her interest in this suit. And it is  
further ordered that a copy hereof be published once a week for four weeks in the Jonesville  
Star and that a copy be posted at the front door of the Courthouse of this county as prescribed  
by law.

A copy—Teste:

Ely & Woodward, P. q.

J. P. C. Ewing, Clerk.  
By W. O. Hanbury, D.C.



D. O. Carroll

vs.

}

ORDER OF  
PUBLICATION

Lucretia Carroll

Virginia, Lee County, to-wit:

I, H. C. Ewing, Clerk of  
the Circuit Court for the  
County aforesaid, in the  
State of Virginia, do cer-  
tify that I posted a true  
copy of the within order  
of publication at the  
front door of the Court-  
house of said County  
on this day.

Given under my hand,  
on this the 4<sup>th</sup> day of  
October, 1909.

H. C. Ewing,  
Clerk.



### Order of Publication.

In the Clerk's Office of the Circuit Court  
of the county of Lee, on the 4th  
day of October, 1909.

D. O. CARROLL, Plaintiff,  
against

LUCRETIA CARROLL, Defendant.

In chancery.

The object of this suit is to obtain a divorce a vinculo matrimonii. And an affidavit having been made and filed that the defendant, Lucretia Carroll, is not a resident of the State of Virginia, it is ordered that she do appear here within fifteen days after due publication hereof, and do what may be necessary to protect her interest in this suit. And it is further ordered that a copy hereof be published once a week for four weeks in the Jonesville Star and that a copy be posted at the front door of the Court-house of this county as prescribed by law.

A copy—Teste:

H. C. T. EWING, Clerk.

By M. E. FLANARY, D. C.

ELY & WOODWARD, p q.



D. O. Carroll

vs

in Chancery  
Lucritia Carroll



I, Geop. Cridlin, editor

of The Jonesville Star, a weekly newspaper  
published in the county of Lee, state of Virginia,  
do hereby certify that the enclosed notice was  
published in said paper once a week for four  
successive weeks, commencing on the 7<sup>th</sup>  
day of October 1909

Geop. Cridlin, Editor.

FEE \$ 5.40

Filed Dec. 1<sup>st</sup>, 1909.

S. C. Ewing, Clerk.